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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/391,647	09/07/1999	WINTHROP L. SAVILLE	PHA23.756	8884

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EXAMINER

ELLIS, RICHARD L

ART UNIT

PAPER NUMBER

2183

DATE MAILED: 03/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/391,647

Applicant(s)

Saville et al.

Examiner

Richard Ellis

Group Art Unit

2183

--The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address--

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 (Three) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) Months from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is FINAL
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-13. is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-13. is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119(a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 3.
- ☒ Notice of References Cited, PTO-892
- ☒ Notice of Draftsperson's Patent drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

1. Claims 1-13 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.
3. The following is a quotation of the appropriate paragraphs of 35 USC § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-13 rejected under 35 USC 102(b) as being clearly anticipated by Matsumoto et al., U.S. Patent 5,745,722.

Matsumoto et al. was cited as a prior art reference in applicant's information disclosure citation, paper number 3, received April 3, 2001.

5. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action, paper number 3, mailed April 3, 2001.

Matsumoto et al. taught (e.g. see figs. 1-4) the invention as claimed (as per claim 1), including a data processing ("DP") system comprising:

- A) a method of forming instructions (fig. 2) for execution in a processing system, said method comprising:
- B) providing an opcode portion ("OPC") determining at least one operation to be performed by the processor (col. 4 lines 12-14), and;
- C) providing a parameter portion ("TYPE", "IMMEDIATE DATA") comprising at least one parameter representing a respective data value ("IMMEDIATE DATA"), said parameter portion including an indicator ("TYPE") representing at least one of the following definitive characteristics of said at least one parameter:
  - i. the number of bits in a data value represented by said parameter;
  - ii. the number of bytes in said parameter;
  - iii. whether said parameter represents a compressed data value (fig. 3(b), "TYPE: ENCODED IMMEDIATE", col. 4 lines 7-10).

6. As to claim 2, Matsumoto et al. taught that the parameter portion comprised at least one parameter ("IMMEDIATE DATA"), of one of the following types:
  - (1) a compressible, unsigned parameter of predetermined length (col. 5 line 26);
  - (2) a compressible, signed parameter of predetermined length (col. 5 lines 30-31).
7. As to claim 3, Matsumoto et al. taught that the opcode defined the number of parameters in the parameter portion (col. 4 lines 12-16 and 26-38).
8. As to claim 4, Matsumoto et al. taught that the opcode defined the uncompressed length of the at least one parameter (col. 5 lines 18-44).
9. As to claim 5, Matsumoto et al. taught that the opcode defined whether the at least one parameter included a sign (col. 5 line 44 to col. 6 line 7).
10. As to claim 6, Matsumoto et al. taught that the at least one parameter represented a memory address (col. 2 lines 57-64).
11. As to claim 7, Matsumoto et al. taught that the parameter portion comprised a plurality of parameters and that the opcode portion determines the order of arrangement of the parameters (col. 4 lines 12-16 and 26-38).
12. As to claim 8, Matsumoto et al. taught that the at least one parameter included a bit field indicating a parameter-related characteristic ("TYPE").
13. As to claim 9, Matsumoto et al. taught that the bit field represented at least one of:
  - a. the number of bits in a data value represented by the at least one parameter;
  - b. the number of bytes in the at least one parameter;
  - c. whether the at least one parameter represents a compressed data value (col. 4 lines 7-12).
14. As to claims 10-13, they do not teach or define above the invention claimed in claims 1-9 and are therefore rejected under Matsumoto et al. for the same reasons set forth in the rejection of claims 1-9, supra.
15. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.


16. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).

17. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (703) 305-9690. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (703) 305-9712. The fax phone numbers for this Group are: After-final: (703) 746-7238; Official: (703) 746-7239; Non-Official/Draft: (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Richard Ellis  
March 14, 2002



**Richard Ellis**  
**Primary Examiner**  
**Art Unit 2183**